



## **A BILL FOR AN ORDINANCE**

RELATING TO PEDESTRIAN SAFETY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to improve the protection of pedestrians and motorists from traffic hazards and potential injuries on public streets.

SECTION 2. Chapter 15, Article 17, Revised Ordinances of Honolulu 1990 ("Pedestrian' Rights and Duties"), is amended by amending the title of the article to read as follows:

**"Article 17. [~~Pedestrians' Rights and Duties~~] Pedestrian Safety"**

SECTION 3. Section 15-17.2, Revised Ordinances of Honolulu 1990 ("Restrictions on pedestrians crossing roadways") is amended by adding a new subsection (e) to read as follows:

**"(e) Notwithstanding any other provision of this chapter, during the period from one-half hour after sunset to one-half hour before sunrise, no pedestrian may cross any roadway at any place other than a crosswalk or intersection."**

SECTION 4. Chapter 15, Article 17, Revised Ordinances of Honolulu 1990 ("Pedestrians' Rights and Duties"), is amended by adding a new Section 15-17.25 to read as follows:

**"Sec. 15-17.25 Arterial roadways and intersections."**

**(a) Definitions. As used in this section, unless otherwise indicated, the following definitions apply:**

**"Arterial roadway" means any roadway with a speed limit of 35 miles per hour or greater or average traffic volumes greater than 15,000 vehicles per day, and that has been designated as an "arterial roadway" by the director.**

**"Arterial intersection" means any intersection that has been designated as an "arterial intersection" by the director and has:**

**(1) A speed limit, on at least one of the intersecting roadways, of 35 miles per hour or greater;**



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 18 (2019)

**A BILL FOR AN ORDINANCE**

---

- (2) Average traffic volumes greater than 15,000 vehicles per day on at least one of the intersecting roadways; or
- (3) A median that is less than six feet wide in at least one of the intersecting roadways.

The term includes an intersection and its intersecting roadways for a distance of 100 feet from the intersection.

"Director" means director of transportation services.

"Distribution conduct" means an exchange which requires an acceptance or rejection of the item being distributed between a person located in an arterial roadway and an occupant of a vehicle operating on an arterial roadway.

- (b) Designation. The director may designate roadways as "arterial roadways" and intersections as "arterial intersections," and list them in a schedule established from time-to-time and placed on file with the city clerk.
- (c) Prohibitions. Notwithstanding any provision in this article to the contrary, and except as provided in subsection (d), no person may:
  - (1) Cross an arterial roadway at any place except in a marked crosswalk. Where there is no crosswalk for a distance of 300 feet, a person may cross only where a pedestrian-control signal is located. Where there is no crosswalk or pedestrian-control signal for a distance of 300 feet, a person may cross only at an intersection;
  - (2) Enter and remain upon a median or in an arterial intersection unless in the process of legally crossing a roadway. Failure of a person to leave a median after two consecutive opportunities to cross the roadway in a lawful manner is prima facie evidence of a violation of this subsection, unless the person's mobility is restricted to such a degree as makes such person unable to safely cross the roadway during two consecutive opportunities; or
  - (3) Exit a vehicle while it is located within an arterial intersection, except in the event of a vehicular or medical emergency.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL **18 (2019)** \_\_\_\_\_

---

**A BILL FOR AN ORDINANCE**

---

- (4) Enter or remain upon an arterial roadway except to lawfully cross it, except a person who is an occupant of a vehicle. No person while upon an arterial roadway may approach a vehicle upon such roadway, except a vehicle that is lawfully parked. Except as provided by Section 15-13.6 or 15-13.16, no occupant of a vehicle being operated on an arterial roadway may engage in distribution conduct with a pedestrian standing in or entering upon an arterial roadway. This section does not prohibit accepting anything from or distributing anything to:
- (i) Occupants of a lawfully parked vehicle;
  - (ii) Occupants of a vehicle adjacent to a sidewalk if the person accepting or distributing remains at all times on the adjacent sidewalk; or
  - (iii) Another person on a public sidewalk.
- (d) Exceptions. This section does not apply to:
- (1) A law enforcement officer acting within the scope of the officer's official duties;
  - (2) A person engaged in rescue activities, including providing assistance to an injured person or disabled vehicle;
  - (3) A person engaged in emergency repair or maintenance of a vehicle;
  - (4) A public employee acting within the scope of the employee's duties;
  - (5) A person performing work in or on an arterial roadway pursuant to a valid permit; or
  - (6) A person entering a stopped vehicle as an invited passenger where it is lawful to do so, including accessing taxicabs or public transportation.
- (e) Penalty. Any person violating any provision of this section is subject to a fine of \$100.00 for each violation."



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL **18 (2019)**

**A BILL FOR AN ORDINANCE**

SECTION 5. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.

SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

*[Signature]*

DATE OF INTRODUCTION:

**MAR 5 2019**

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu